GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Andhra Pradesh Gram Panchayat (Erection of Telecommunication Towers) Rules, 2012 – Amendment notification – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.III) DEPARTMENT.

G.O Ms.No.75 **Dated: 29.7.2015**.

Read the following:

1. G.O Ms.No.334, PR&RD (Pts.IV) Department, Dated:9.10.2012.
2. Advisory guidelines for the State Government from the Department of Telecommunication (DOT) for issue of clearances for installation of Mobile Towers w.e.f 1.8.2013.
3. From the Commissioner, PR & RD, AP, Hyderabad, Letter No 3541/CPR&RE/D1/2015,dt.27.5.2015.

***

ORDER:

In the G.O 1st read above, orders were issued relating to Andhra Pradesh Gram Panchayat (Erection of Telecommunication Towers) Rules, 2012.

2. In the letter 3rd read above, the Commissioner, Panchayat Raj & Rural Development, A.P Hyderabad has proposed certain amendments to the rules issued in G.O 1st read above.

3. The Government after careful examining the proposal of Commissioner, Panchayat Raj & Rural Development and keeping in view of the guidelines issued by the Department of Telecommunications (DOT), Government of India for the States for issue of clearances for installation of Mobile Towers w.e.f 1.8.2013, the Government have decided and hereby issue the following amendments to the sub-rules (a), (e) and (h) of Rule 3 of the said rules issued in the G.O 1st read above.

4. Accordingly, the following Notification will be published in an Extraordinary Issue of the AP Gazette, dated: 31.7.2015.

NOTIFICATION

In exercise of the powers conferred under sub-section (1) of section 268 read with section 119 of the Andhra Pradesh Panchayat Raj Act, 1994 (AP Act.No.13 of 1994), the Government of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Gram Panchayat (Erection of Telecommunication Towers) Rules, 2012 issued in G.O Ms.No.334, Panchayat Raj & Rural Development (Pts.IV) Department ,dated: 9.10.2012.

AMENDMENT

(1) In the said rules, in rule 3, for sub-rule (a), the following shall be substituted namely.

" (a) (i) in case of Sites located within the distance up to 100 meters from protected monuments as notified under Archaeological Monuments and Ancient Sites and Remains Act, 1955 and as amended no Telecommunication Tower is allowed.

(ii) Base station Antennas should be avoided in narrow lanes. (less than or equal to 5 meters).

(P.T.O)

(iii) In respect of rooftop towers with multiple antennas, the roof top usage should be discouraged for longer duration.

(iv) In case of Wall Mounted/Pole mounted Antenna, the antenna should be mounted at least 5 meters above ground level/road level on flyovers."

(2) for sub-rule (e), the following shall be substituted namely:-

"(e)

Sl.No. (1)	Category (2)	Fee to be levied by Gram Panchayats. (3)
1	Cell tower installation fee (One time) a) Ground based towers b) Roof top towers	 Rs.25,000/- Rs. 20,000/-
2	License renewal fee (Annual for Land based/Roof top towers	Rs.2,000/-"

(3) for sub-rule (h), the following shall be substituted namely:-

" (h) In case, the Executive Body of Gram Panchayat fails to convey its decision within (15) days or rejects, the application on certain grounds, the aggrieved party (Telecom company) may prefer appeal before the District Collector, who will decide the appeal based on the locational norms, prescribed rules within (15) days of filing of appeal. The Appellate Authority i.e the District Collector, shall issue or refuse the permit, not later than (15) days from the date of receipt of the appeal along with the plans and documents. In case of refusal, the reasons for the same shall be clearly mentioned. And if no permission or refusal is accorded within (15) days by the Appellate Authority i.e District Collector, the permission shall be deemed to have been accorded, provided that, the said installation shall comply with all of the guidelines, including providing of completion certificate."

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S.JAWAHAR REDDY
SECRETARY TO GOVERNMENT

To
The Commissioner, Printing Stationary and Stores Purchase, Hyderabad.
(with a request to furnish the 60 copies of the notification to Government immediately).

Copy to:
The Commissioner, Panchayat Raj & Rural Development,
Andhra Pradesh Hyderabad .
All the District Collectors in the State.
All the District Panchayat Officers in the State.
All the Chief Executive Officers, Zilla Praja Parishads in the State.
OSD/PS to M (PR&RWS)
PS to Secretary (PR).
The Law (F) Department.
Sf/sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER